

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

Terry and Patricia Hopkins,)	
)	
Plaintiffs,)	
)	
v.)	
)	Case No. 14-01091-CV-W-HFS
Owens-Illinois, Inc., et. al.,)	
)	
)	
Defendants.)	

MEMORANDUM

In an order dated November 29, 2015, this Court entered an order denying a motion to quash a Plaintiff's Non Party Subpoenas for Inspection and Deposition because the plaintiff had served a notice of deposition and not a subpoena. (Doc. 137).

Plaintiff's counsel has recently sent an email to the Court and all parties clarifying that subpoenas were served although the subpoenas were not part of the record before the Court. Nevertheless, the question of the ability of this Court to quash the subpoenas is of little consequence as plaintiff's counsel states that a significant portion of the information sought by the subpoenas has been obtained - KCPL has produced a number of documents requested and the plant for inspection. Counsel, however, informally requests the Court's assistance in requiring KCPL to produce corporate representatives for deposition.

It is the practice of this Court to permit the parties to informally resolve discovery disputes before court involvement. The same practice applies to non-parties such as KCPL. There is no pending motion before the Court and it appears that plaintiff and KCPL have been successful in resolving these issues informally, and the Court has every

expectation that the two can do the same with respect to the deposition of corporate representatives.

/s/ Howard F. Sachs
HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

December 8, 2015

Kansas City, Missouri